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Image

1712

PATENT

(Practitioner's Docket No. IN-5596)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of Lawrence E. THIEBEN	
Serial No.: 10/065,012	Group Art Unit: 1712
Filed: September 10, 2002	Examiner: Not Assigned

For: PIGMENT STABILIZER FOR EPOXY COATINGS AND METHOD OF PIGMENT STABILIZATION

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8(a)

I hereby certify that the attached correspondence comprising:

X	Information Disclosure Statement
X	From PTO-1449
X	Cited References
X	International Search Report

is being deposited with the United States Postal Service, with sufficient postage, as first class mail in an envelope addressed to:

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

on 10/3/2003

Marjorie Ellis

signature

Marjorie Ellis

(type or print name of person certifying)

(Certificate of Mailing under 37 CFR 1.8(a) [8-2])

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Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

INFORMATION DISCLOSURE STATEMENT

Dear Sir:

Applicant(s) submit(s) herewith patents, publications, or other information, of which they are aware that they believe may be material to the examination of this application, and in respect of which, there may be a duty to disclose in accordance with 37 C.F.R. §1.56.

The filing of this Information Disclosure Statement shall not be construed as a representation that a search has been made (37 C.F.R. 1.97(g)), an admission that the information cited is, or is considered to be, material to patentability, or that no other material information exists. The filing of this Information Disclosure Statement shall not be construed as an admission against interest in any manner.

[x] Submitted herewith is Form PTO-1449 (Modified) listing patents, publications, or other information for consideration by the Office.

COPIES PROVIDED:

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[] Legible copies of all items listed on Form PTO-1449 accompany this information statement, except Copies of U.S. patents, patent applications, and publications as indicated below:

[] Under 35 U.S.C. §120, this application relies on the earlier filing date of prior application Serial No. [_____], filed on [_____]. The following references were submitted to and/or cited by the Office on this prior application and are therefore not required to be provided in this application:

[] In accordance with 37 C.F.R. §1.98(c), a copy of only [_____] is being submitted with this Information Disclosure Statement, and is cumulative of the following patents or publications listed on Form PTO-1449:

[] Application Serial No. [_____] was published as Publication No. [_____]. The Biblioghic information for this publication is correct, but the abstract, specification, and claims are not those of [_____] . Therefore, the bibliographic page for Publication No. [_____] is provided with a copy of the specification as filed for [_____] .

FOREIGN LANGUAGE DOCUMENTS

[] There are no foreign language documents listed on Form PTO-1449.

[] The following non-English language references were cited in the specification. The English language equivalents for these references are being submitted in substitution for the non-English references.

[] English language abstract for the following non-English references are enclosed.

[x] Submitted herewith is an English translation of the following foreign language patents, publications or information or of portions of those patents, publications or information considered to be material: **English Equivalent for DE 24 62 453 – 4,104,223**

[] No English language translations of the foreign language patents, publications or information or parts thereof are readily available, except for those listed above.

[] The following foreign language documents submitted are believed to be the equivalent or substantial equivalent of the English language documents identified below, which are also submitted herewith:

[X] Submitted herewith is an English language version of a search report listing information not in the English language and indicating the degree of relevancy found by the European Patent Office, in satisfaction of the requirement (under 37 C.F.R. §1.98(a)(3)) for a concise explanation of the relevance of non-English information.

[] A concise explanation of the relevance of the following listed non-English language information is included as presently understood by the individual designated in 37 C.F.R. §1.56(c) most knowledgeable about the content of the information as set forth below:

[] A concise explanation of the relevance of the following listed non-English language information is set forth in the above-identified specification:

CERTIFICATION:

[X] The Information Disclosure Statement transmitted herewith is being filed **within** three (3) months of the filing date of the application or date of entry into the national stage of an international application or before the mailing date of a first Office Action on the merits, whichever event occurs last. 37 C.F.R. §1.97(b). Accordingly, it is believed that no certification or fee is due.

[] The Information Disclosure Statement transmitted herewith is being filed **after** three (3) months of the filing date of the application or the date of entry into the national stage of an international application or after the mailing date of the first Office Action on the merits, whichever event occurred last but **before** the mailing date of either a final action under 37 C.F.R. §1.113 or a Notice of Allowance under 37 C.F.R. §1.311, whichever occurs first. Accordingly, I hereby certify that:

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☒ Each statement of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three (3) months prior to the filing of the statement; 37 C.F.R. §1.97(e)(1); **OR**

☐ That no item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge as the person signing this certification after making reasonable inquiry, was known to any individual designated in §1.56(c) more than three (3) months prior to the filing of this statement; 37 C.F.R. §1.97(e)(2); **OR**

☐ Applicant elects the option to pay the fee set forth in 37 C.F.R. §1.17(p) for submission of an information disclosure statement under 37 C.F.R. §1.97(c). Please charge the **$180.00** IDS submission fee to BASF Corporation **Deposit Account No. 23-3425**. A duplicate of this paper is enclosed.

☐ The Information Disclosure Statement transmitted herewith is being filed **After a Final Action** under 37 C.F.R. §1.113, or **After a Notice of Allowance** under 37 C.F.R. §1.311, whichever occurs first, but **Before Payment of the Issue Fee**. Accordingly, I hereby certify that:

☐ Each statement of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three (3) months prior to the filing of the statement; 37 C.F.R. §1.97(e)(1); **OR**

☐ That no item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge as the person signing this certification after making reasonable inquiry, was known to any individual designated in §1.56(c) more than three (3) months prior to the filing of this statement; 37 C.F.R. §1.97(e)(2); **AND**

☐ Applicant hereby petitions for consideration of this Information Disclosure Statement; 37 C.F.R. §1.97(d)(2)(ii). Please charge the petition fee of **$130.00** to BASF Corporation **Deposit Account No. 23-3425**. A duplicate of this paper is enclosed.

The Commissioner is authorized to charge BASF Corporation Deposit Account No. 23-3425 for any additional fees due hereunder.

Reg. No.: **42,906**

SIGNATURE OF ATTORNEY and DATE

Michael F. Morgan October 2, 2003
Type or print name of attorney

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FORM PTO-1449 (MODIFIED) US DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

Atty. Docket No. IN-5596

LIST OF ART CITED BY APPLICANT (Use sever of sheets if necessary)

In re Application of: THUEBEN , et al.

Serial No.: 10/065,012

Filed: Sept. 10, 2002

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U.S. PATENT DOCUMENTS

Examiner initial		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	AA	5,688,905	11/18/97	Walker	528	332	9/20/95
	AB	2002/0054957	5/9/02	Johnsen et al.	427	230	8/24/01
	AC	6,294,597	9/25/01	Rinde et al.	523	442	8/4/97
	AD	4,104,223	8/1/78	Hosoda et al.	260	29.2	3/12/76
	AE						
	AF						

FOREIGN PATENT DOCUMENTS

Examiner initial		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATED YES	TRANSLATED NO
	AG	EP 0 488 949	20.22.91	EP	C09J	163/00	X	
	AH	WO 93/12187	24.06.93	WO	C09D	163/00	X	
	AI	WO 00/01659	13.01.00	WO	C07C	215/50	X	
	AJ	DE 24 62 453	03.03.77	DE	C09D	3/58		X
	AK							
	AL							
	AM							

OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)

	AN	
	AO	
	AP	
	AQ	

EXAMINER | DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

*Applicant has modified this form by deleting the word "prior".